

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 08-69876

ERNEST SCOTT, JR.,

Chapter 13

Debtor.

Judge Thomas J. Tucker

ERNEST SCOTT, JR.,

Plaintiff,

v.

Adv. Pro. No. 09-4272

BEULAH MAE BANKS,

Defendant.

ORDER DISMISSING ADVERSARY PROCEEDING AS MOOT

On February 12, 2009, Debtor filed a complaint, initiating this adversary proceeding, seeking to avoid the second mortgage in Debtor's principle residence located at 19355 Orleans Street, Highland Park, MI 48203-1349, held by Beulah Mae Banks. On March 10, 2009, in the main bankruptcy case, the Court entered an order stripping "the mortgage entered into between the Debtor and Beulah Banks . . . from the chain of title" of Debtor's principle residence. ("Consent Order Stripping Lien," Docket # 27 in Case No. 08-69876). That Consent Order makes this adversary proceeding moot. Accordingly,

IT IS ORDERED that this adversary proceeding is DISMISSED as moot.

Signed on March 13, 2009

/s/ Thomas J. Tucker

Thomas J. Tucker

United States Bankruptcy Judge